

REMARKS

The application has been amended and is believed to be in condition for allowance.

This amendment is being filed as part of an RCE application.

No new matter is entered by way of the claim amendments.

Claims 11-12, 15-18, 22, 23, and 24 stand rejected as anticipated by LIN 6,000,713.

Claims 13 and 21 stand rejected as obvious over LIN in view of SATTERFIELD 6,807,690.

Claim 14 is rejected as obvious over LIN and EHRENREICH 2003/0121123.

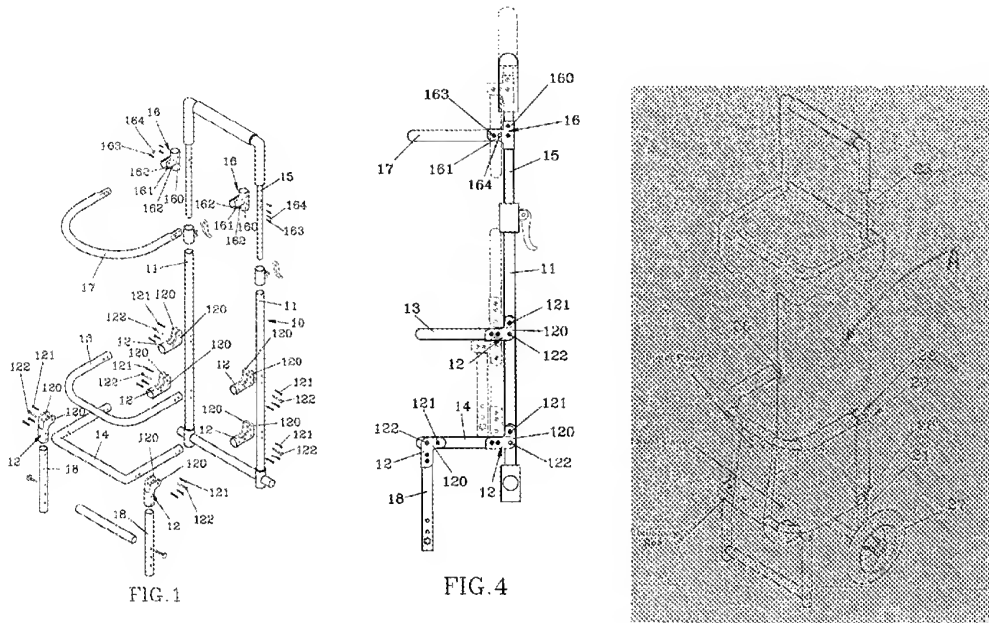
Claims 19 and 20 stand rejected as obvious over LIN in view of HIGSON 4,703,944.

Applicant respectfully traverses the rejection.

The Claims Are Novel and Non-obvious

Claims 11 and 23 are independent.

With respect to claims 11 and 23, the Examiner makes reference to Figures 3-5, and offers Lin as disclosing:



- A pair of upright supports (11).
- A quadrilateral articulated frame composed of rods (13, 14), with a lower pair of the rods (left and right sides of 14) hinged to the upright supports (11) at a lower part and an upper pair of the rods (left and rights sides of 13) hinged to the upright supports (11) at an upper part.
- An upper panel and lower panel attached to the frame (see annotated Figure 5 above), said frame adapted to allow the vertical structure to act as a seat with the lower and upper rods (13, 14) of the frame oriented perpendicular to the upright supports (Figure 5) and as a partition screen with the rods and

the upright supports coinciding and the upper panel and the lower panel being coplanar (dashed lines in Figure 4).

In the present invention; however, the upper panel corresponds to the back support annotated as "A" in annotated Figure 5 above.

Further, in the first position, with the lower panel providing a seat, the seat is fully accessible from three sides (application Figure 3).

The claims have been amended in this regard.

Claims 1 and 23 require that the frame allow the vertical structure to act as a seat with the lower and the upper pairs of the rods (2b) of the frame (2) oriented perpendicular to the upright supports (1) and with the upper panel being a seat backrest and the lower panel being a seat bottom.

In Lin, the upper panel is not the seat backrest (see "A" above).

Further, in claim 15 it is now recited that with the frame (2) is positioned with ... the upper panel being a seat backrest and the lower panel being a seat bottom, the lower panel is accessible from three vertical sides by the no further panels attached between the rods of the frame other than said upper and lower panels.

As discussed, in Lin, the lower panel is not accessible from three vertical sides as there are three further panels attached between the rods of the frame in addition to the upper

and lower panels. The lower seat panel in Lin is only accessible from the top.

Claim 24 is similar and requires that: i) four connecting edges of the lower panel define a closed rectangle, ii) the upper panel define a first vertical side extending up from a first edge of the lower panel, and iii) the other three edges of the lower panel provide free access to the lower panel as the seat bottom by the rods of the frame being free of any panels other than said upper and lower panels.

As noted, in Lin, the lower panel is not accessible from three vertical sides as there are three further panels attached between the rods of the frame in addition to the upper and lower panels.

Further, one of skill would have no motivation to modify Lin in the recited manner and could not modify Lin in this manner while allow Lin to retain its intended functionality.

Thus, one of skill could not modify Lin to satisfy the amended claims.

Therefore, the claims are both novel and non-obvious.

Allowance of the independent claims is solicited, together with the dependent claims.

Without prejudice, there is no need to address the remaining rejections as the dependent claims are allowable at least for depending from an allowable claim.

Allowance of the case is solicited.

In view of the above, the amendment is believed to be fully responsive.

Should there be any matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

/Roland E. Long, Jr./
Roland E. Long, Jr., Reg. No. 41,949
209 Madison Street, Suite 500
Alexandria, VA 22314
Telephone (703) 521-2297
Telefax (703) 685-0573
(703) 979-4709

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